

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

<b>BILLIE DAILEY, as personal</b>	)	
<b>representative for the Estate of</b>	)	
<b>WADE V. DAILEY, deceased, and</b>	)	
<b>CHRISTIE DAILEY FOSTER, an</b>	)	
<b>individual,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>CASE NO. 7:09-CV-874-VEH</b>
	)	
<b>v.</b>	)	
	)	
<b>FEDERAL INSURANCE COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

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**ORDER**

This case comes before the court on the motion for summary judgment filed by the defendant. In accordance with the memorandum opinion entered contemporaneously herewith, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The motion for summary judgment is **DENIED**;
2. Federal's decision denying the decedent's accidental death benefits is hereby **REVERSED**.
3. Federal is hereby **ORDERED** to pay all such benefits which are due and owing.

**DONE** this the 16th day of April, 2010.

A handwritten signature in cursive script, appearing to read "V. Emerson Hopkins", written in black ink.

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**VIRGINIA EMERSON HOPKINS**

United States District Judge